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SCHAKOWSKY SUPPORTS LEGAL UPDATES TO PROTECT CONSUMERS IN DIGITAL AGE

UPDATED LAWS SHOULD PROTECT ARTISTS BUT RECOGNIZE TECHNOLOGICAL REALITIES

WASHINGTON, DC -- U.S. Representative Jan Schakowsky, ranking member on the Subcommittee on Commerce, Trade, and Consumer Protection, today spoke out in support of changes to digital copyright laws which would stop making artists and fans enemies and recognize emerging technological realities.

Representative Schakowsky's opening remarks are below from today's hearing before the Subcommittee:

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Technological innovations opened the door to novel means of hearing your favorite singer, like Aretha Franklin in my case, or watching a movie on a portable device.□ However, the digitization of books, music, and movies, in tandem with the ability to transmit that information over the Internet, has also necessitated the updating of laws that have either been rendered ineffective or become too stifling because of technological advances.□ I look forward to hearing from today's witnesses about how the new platforms for distributing content in digital formats affect artists, consumers, researchers, libraries, and the creative industries, including technology developers.

With the passage of the DMCA in 1998, (before I came to Congress), my colleagues made a significant attempt to contend with the new challenges that digital capabilities introduced to copyright law. □ The DMCA was meant to stop copyright infringement on new digital mediums. Unfortunately, by trying to predict where the technology would take us, the DMCA was drafted with broad strokes that many argue went too far concerning the Fair Use provisions of the copyright law. DMCA has been abused by those who want to squelch competition in areas wholly unrelated to copyright. For example, manufacturers of garage door openers have used the DMCA to try to prevent their competitors from developing alternative and cheaper models.□ Remember, these competitors are not infringing on copyrights or violating any patents; they are simply trying to provide a better product at a better price.

████████████████ There is no denying that copyrights need to be protected and artists need to be compensated for their work. However, I am concerned when a law makes consumers and artists enemies, when fans and innovators are considered criminals, when companies can use the DMCA to prevent new products from coming to the market, and when libraries may have to limit or charge for services they traditionally have provided for free.

Since we began these hearings two years ago, I have been talking with artists' groups, consumer groups, and technology developers, and I truly believe that we can work together to craft a remedy to the problems at hand. We need to find a balance between the rights of the consumers and the rights of the artists. And we need to do that without hurting other industries.

I am hoping that today's hearing will help us understand better how consumers and technological developers have been able to work with artists and content providers in innovating within the DMCA.

████████████████ I believe we are in the midst of a paradigm shift on how we think about commerce, art distribution, and traditional consumer protections. It is our responsibility as lawmakers to make sure that all voices are heard in this debate and that the proper regulations are put in place. I am glad we are here today with so many people who are affected by the DMCA and are interested in fair use. I look forward to your testimony and demonstrations.